

Message Text

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TO ALL OECD CAPITALS

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TAGS: SENV, ETRD, OECD

SUBJECT: OECD PART II CHEMICALS PROGRAM

REFS: A) PARIS 20477; B) PARIS 21580; C) STATE 178223;
D) PARIS 23134

1. U.S. PREMANUFACTURING REGULATIONS ARE CURRENTLY BEING
FORMULATED UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA),
AND AS ADDRESSEES AWARE USG IS MAKING EVERY EFFORT TO
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CONSULT INTERNATIONALLY TO INSURE THAT OUR MAJOR CHEMICALS
TRADING PARTNERS ARE FULLY INVOLVED AS USG DEVELOPS THESE
REGULATIONS. WE ARE OF COURSE AT SAME TIME KEENLY INTER-
ESTED IN TOXICS SUBSTANCES LEGISLATIVE AND REGULATORY
DEVELOPMENTS IN OTHER COUNTRIES.

2. THE OECD CHEMICALS GROUP HAS BEEN THE FOCUS OF THE

WORK IN THE INTERNATIONAL ARENA. A PART II PROGRAM (I.E. VOLUNTARY, WITH CONTRIBUTIONS FROM THOSE WISHING TO PARTICIPATE) IS BEING ESTABLISHED (REF A) TO HANDLE THE INCREASED ACTIVITY AS VARIOUS MEMBER COUNTRIES MOVE RAPIDLY TO IMPLEMENT NATIONAL TOXICS REGULATIONS. DESPITE THE DESIRE OF THOSE COUNTRIES WHO MET IN PARIS JUNE 21-23 TO ORGANIZE THE PART II ACTIVITIES TO HAVE THE OECD COUNCIL APPROVE THE PROGRAM IN JULY, THE OECD SECRETARIAT

SUBSEQUENTLY TOOK THE POSITION THAT IT WAS NOT APPROPRIATE TO REQUEST SUCH FORMAL APPROVAL PRIOR TO THE SUMMER RECESS (REFS B, C AND D). THERE WERE SEVERAL REASONS. ONE, THE EXPECTED FRG CONTRIBUTION -- DESPITE EFFORTS BY THOSE MOST CLOSELY INVOLVED IN THE FRG -- WAS INITIALLY LOWER THAN HOPED FOR; SINCE OTHERS PEG THEIR CONTRIBUTIONS ON A PRO-RATA BASIS, THE LOWER-THAN-HOPED-FOR FRG COMMITMENT DECREASED THE TOTAL AMOUNT OF FUNDS AVAILABLE. THE SECRETARIAT FELT IT MORE PRUDENT TO WAIT UNTIL THE FIRST COUNCIL MEETING IN SEPTEMBER TO SEEK FORMAL APPROVAL, WHEN PERHAPS MORE FUNDS FOR THE PROJECT MIGHT BE COMMITTED. IN ADDITION, SOME COUNTRIES, BOTH IN JUNE AND AT THE SUBSEQUENT COUNCIL MEETING (REF D), DID NOT MAKE FIRM COMMITMENTS, ALTHOUGH THEY EXPRESSED POSITIVE INTEREST AND PROMISED TO DO WHAT THEY COULD BY SEPTEMBER.

3. THE OECD PROGRAM IS THE KEY TO DEVELOPING A COMMON
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TECHNICAL APPROACH ON TOXICS CONTROL. GIVEN THE SHORT TIMETABLE FOR PROPOSED U.S. REGULATIONS, IT IS ESSENTIAL THAT THE PART II PROJECTS START ON TIME, THAT IS BY OCTOBER 1. SERIOUS TRADE PROBLEMS ARE MORE LIKELY TO ARISE IF SOME OF THE PROGRAMS ARE DELAYED; IN THAT EVENT THE U.S. (AND OTHERS) WOULD FIND THEMSELVES DEVELOPING REGULATIONS WITHOUT THE BENEFIT OF THE OECD WORK. THE GREATER THE PROGRESS OF THE OECD WORK, THE BETTER THE UNDERSTANDING WILL BE IN THE INTERNATIONAL COMMUNITY OF EACH OTHERS' INTENTIONS.

4. THE DEPARTMENT IS CONCERNED THAT IN SOME MEMBER COUNTRIES PERHAPS ONLY THE SPECIALIZED AGENCIES DEALING WITH THE OECD ENVIRONMENT COMMITTEE ARE FULLY AWARE OF THE URGENCY OF APPROVING THE OECD PART II PROGRAM IN EARLY SEPTEMBER TO ENABLE IT TO GET UNDERWAY BY OCTOBER 1. SOME COUNTRIES HAVE MADE DEFINITE COMMITMENTS TO PARTICIPATE -- THE U.S., SWEDEN, SWITZERLAND, THE U.K., AUSTRALIA, CANADA, NETHERLANDS, AUSTRIA, FRANCE, DENMARK, FRG, AND THE EC COMMISSION. OTHERS HAVE MADE PROVISIONAL COMMITMENTS, BUT IT IS UNCERTAIN WHETHER FINAL AUTHORIZATION WILL BE FORTHCOMING BY EARLY SEPTEMBER. EMBASSIES

ARE REQUESTED TO BRING THIS MATTER TO ATTENTION OF APPROPRIATE HOST COUNTRY FOREIGN MINISTRY AND TRADE OFFICIALS, AND TO IMPRESS ON THEM OUR VIEW THAT IF A SUFFICIENTLY-FUNDED PROGRAM CAN GET UNDERWAY IN TIME, IT SHOULD HELP TO LESSEN THE CHANCES OF SIGNIFICANT TRADE AND POSSIBLY FOREIGN POLICY PROBLEMS ARISING IN THE FUTURE. YOU MAY ALSO NOTE THAT THE U.S. HAS NOW LEARNED THAT THE FRG CONTRIBUTION WILL BE AT A HIGHER LEVEL THAN ANNOUNCED AT THE JULY COUNCIL MEETING, ALTHOUGH THE EXACT TERMS

AND CONDITIONS OF THIS HIGHER FUNDING ARE STILL UNCLEAR. GOVERNMENTS SHOULD BE URGED TO MAKE A DEFINITE COMMITMENT BY EARLY SEPTEMBER, AND IN THE EVENT THEY HAVE ALREADY DONE SO, THEY MAY WISH TO REASSESS THE AMOUNT IN LIGHT
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OF HIGHER FRG FUNDING. ENVIRONMENT OFFICIALS IN HOST COUNTRY SHOULD BE FAMILIAR WITH DETAILS OF PROPOSED PROGRAM.
5. FOR TOKYO: THE JAPANESE HAVE EXPRESSED THEIR STRONG DESIRE TO PARTICIPATE, BUT HAVE MADE IT CLEAR THAT ACTION WILL HAVE TO AWAIT DIET APPROVAL LATER IN THE YEAR. WE NEVERTHELESS BELIEVE IT WOULD BE USEFUL TO REINFORCE THEIR INTEREST BY INDICATING THAT WE RECOGNIZE THEIR IMPORTANT ROLE, AND EXPRESS OUR DESIRE TO HAVE THEM AS FULL PARTICIPANTS AT AN EARLY DATE.

6. FOR USEC: THE COMMISSION HAS COMMITTED 44,800 FRENCH FRANCS, EVEN THOUGH IT HAS SPECIAL STATUS, AND DEMARCHE IS NOT NECESSARY.

7. FOR REYKJAVIK AND ANKARA. DEPARTMENT HAS NO INDICATION THAT YOUR HOST GOVERNMENTS ARE INTERESTED IN THE PROGRAM AND NO APPROACH NECESSARY. CHRISTOPHER

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